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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,146	08/08/2000	Timothy M. Schmidl	TI-30673	2896
23494	7590	09/19/2005	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			MOORE JR, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/635,146

Applicant(s)

SCHMIDL ET AL.

Examiner

Michael J. Moore, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-18, 20-23, 26 and 28-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10, 16-18 and 20-23 is/are allowed.
- 6) ☒ Claim(s) 11-13, 26 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 15, 28 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

Amendments made by Applicant in the response of 6/24/2005 to obviate objections made in the Office Action mailed on 4/26/2005 are proper and have been entered. These objections have been withdrawn.

Claim Objections

Amendments made by Applicant in the response of 6/24/2005 to obviate objections of claims **1-10, 15, 18, 25, 28, and 32** made in the Office Action mailed on 4/26/2005 are proper and have been entered. These objections have been withdrawn. The claims submitted in the response of 6/24/2005 are the current claims of record in this application.

Claim Rejections - 35 USC § 112

The rejections of claims **16-18 and 20-22** under 35 U.S.C. § 112 1st paragraph made in the Office Action mailed on 4/26/2005 are improper and have been withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims **11 and 26** are rejected under 35 U.S.C. 102(e) as being anticipated by Balachandran et al. (U.S. 6,115,394) ("Balachandran"). Balachandran teaches all of the limitations of the specified claims with the reasoning that follows.

Regarding claim **11**, "a method of controlling communication of a packet from a wireless transmitting packet communication device to a wireless recipient packet communication device, the packet including a predetermined address field for carrying address information indicative of an intended recipient of the packet" is anticipated by the method shown in Figure 6 where an incoming packet that has a destination address (predetermined address field) is transmitted over a wireless communication link as spoken of on column 8, lines 15-51.

"Providing identification information which identifies a recipient packet communication device for which the packet is intended" is anticipated by the destination

address (identification information) provided in the incoming packet in step 80 of Figure 6 and spoken of on column 8, lines 17-20.

“Responsive to the identification information, a transmitting packet device producing address information indicative of the intended recipient device and extending the address field of the packet to accommodate the address information and providing the address information in the extended address field” is anticipated by the address extension step 86 of Figure 6 where the address field length is extended in response to steps 84, 82, and 80 of Figure 6 as spoken of on column 8, lines 17-43.

Lastly, “the transmitting device transmitting the packet on a communication link” is anticipated by step 98 of Figure 6 where the packet is transmitted.

Regarding claim **26**, “a packet communication apparatus for communicating a packet of information to a further packet communication apparatus, the packet including a predetermined address field for carrying address information indicative of an intended recipient of the packet” is anticipated by wireless communication interface 12 (packet communication apparatus) of Figure 1 that communicates packets containing a destination address (predetermined address field) to wireless communication interface 14 (further packet communication apparatus) over link 16 as spoken of on column 4, lines 53-57 as well as column 8, lines 15-51.

“A packet processor for selectively extending the address field of the packet to accommodate the address information, the packet processor further for providing the address information in the extended address field” is anticipated by the address extension step 86 of Figure 6 where the address field length is extended by

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communication interface 12 (packet processor) in response to steps 84, 82, and 80 of Figure 6 as spoken of on column 8, lines 17-43.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims **12, 13, and 29-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Balachandran et al. (U.S. 6,115,394) ("Balachandran").

Regarding claim **12**, Balachandran teaches the method of claim **11**.

Balachandran does not explicitly teach the use of error check information from the received packet to determine whether the received address field is an extended address field.

However, Balachandran does teach in Figure 7 and on column 10, lines 1-10 how the first bit of the first byte following the frame header of a received packet is examined in order to determine whether the address field is an extended length address field. After this is determined, the original packet is reconstructed.

At the time of the invention, it would have been obvious to someone skilled in the art to use error check information in a similar fashion to the address detection teachings of Balachandran in order to successfully reconstruct the original transmitted packet.

Regarding claim **13**, Balachandran further teaches the regeneration of the CRC in step 120 of Figure 7 of a received packet upon either an extended or non-extended address field being detected as spoken of on column 10, lines 1-10.

Regarding claim **29**, Balachandran teaches wireless communication interface 14 (packet communication apparatus) of Figure 1 that receives packets containing a destination address (predetermined address field) over link 16 as spoken of on column 9, lines 17-30.

Balachandran does not explicitly teach a packet processor using error check information from the received packet to determine whether the received address field is an extended address field.

However, Balachandran does teach in Figure 7 and on column 10, lines 1-10 how the first bit of the first byte following the frame header of a received packet is examined in order to determine whether the address field is an extended length address field. After this is determined, the original packet is reconstructed.

At the time of the invention, it would have been obvious to someone skilled in the art to use error check information in a similar fashion to the address detection teachings of Balachandran in order to successfully reconstruct the original transmitted packet.

Regarding claim **30**, Balachandran further teaches the regeneration of the CRC in step 120 of Figure 7 of a received packet upon either an extended or non-extended address field being detected as spoken of on column 10, lines 1-10.

Regarding claim **31**, Balachandran further teaches wireless communication interface 14 and wireless link 16 of Figure 1.

Allowable Subject Matter

7. Claims **1-10, 16-18, and 20-23** are allowed.

8. Claims **15, 28, and 32** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim **1**, the prior art of record fails to teach a Bluetooth™ transmitting device providing address information in a field other than the predetermined address field of a packet and also providing first information in the predetermined address field of the packet that indicates that the above other field contains the address information.

Regarding claims **2-10**, these claims are further limiting to claim **1** and are thus also allowable over the prior art of record.

Regarding claim **15**, Balachandran teaches the method of claim **11**.

Balachandran does not teach this method being performed between a Bluetooth™ master device and a Bluetooth™ slave device.

Regarding claim **16**, Perlman et al. (U.S. 5,450,407) teaches the concept of providing address information in a further field and providing an indicator in the destination address field that indicates that the further field contains address information as described in previous Office Actions. Perlman does not teach a controller directing a packet processor to insert second information into a packet that is normally carried by the further field but that has been displaced from the further field by the address information. Perlman also fails to teach providing third information in the further field that indicates that the second information has been inserted into the packet.

Regarding claims **17, 18, and 20-22**, these claims are further limiting to claim **16** and are thus also allowable over the prior art of record.

Regarding claim **23**, the prior art of record fails to teach a Bluetooth™ slave device receiving a packet via a wireless interface and detecting information in the predetermined address field of the packet that indicates that a further field of the packet contains address information from which the intended recipient of the packet can be determined.

Regarding claim **28**, Balachandran teaches the apparatus of claim **26**.
Balachandran does not teach a Bluetooth™ master device.

Regarding claim **32**, Balachandran teaches the apparatus of claim **29**.
Balachandran does not teach a Bluetooth™ slave device.

Response to Arguments

10. Applicant's arguments with respect to claims **1-4 and 23** over Perlman et al. (U.S. 5,450,407) as well as claims **11-13, 26, and 29-31** over Sharpe (U.S. 6,094,146) have been considered but are moot in view of the new ground(s) of rejection provided above.

Response to Amendment

11. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Moore, Jr.
Examiner
Art Unit 2666

mjm MM

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